

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Alexandria Division

UNITED STATES OF AMERICA

v.

MARCANTONIO JUAREZ VELASQUEZ,

Defendant.

Case No. 1:25-MJ-61

SECOND CONSENT MOTION TO EXTEND TIME FOR INDICTMENT

The defendant, through counsel, with the consent of the United States of America, by and through undersigned counsel, respectfully moves the Court to extend the time to indict this case through and including June 8, 2025. In support thereof, the defendant states as follows:

1. Marcantonio Juarez Velasquez was arrested on March 10, 2025 on a federal Criminal Complaint charging him with a violation of 21 U.S.C. § 841(a)(1) (possession with the intent to distribute a controlled substance). Further investigation has revealed potential additional charges, including multiple charges carrying serious mandatory minimum sentences.

2. Mr. Juarez Velasquez made his initial appearance in this Court on March 11, 2025. After a preliminary hearing and detention hearing on March 13, 2025, the Court found probable cause to support the Complaint, and the Court ordered Mr. Juarez Velasquez detained pending trial.

3. The Speedy Trial Act requires that the defendant be indicted within thirty days of the defendant's arrest after subtracting all excludable time, including the time any pretrial motions are pending. On April 4, 2025, the Court granted the parties' first indictment extension request, making the current indictment deadline May 9, 2025. Dkt. 18.

4. Also on April 4, 2025, a protective order was entered in this case governing discovery. The government has produced a significant amount of discovery to the defense, on April 10, April 16 and April 28, 2025. Combined, the discovery constitutes approximately 130 gigabytes of data, which defense counsel is still in the process of reviewing. The April 28 discovery production includes more than 90 jail calls as well as a cell phone extraction. In addition to the significant quantity of discovery, defense counsel is currently managing approximately a dozen active felony cases, which represents an uptick in caseload based on an increase in the number of appointments in recent months.

5. In light of the above, the defendant, through counsel, and with the consent of the government, requests an additional extension of 30 days of the time by which the government must indict in this case. Extending this time period for 30 days would be in the best interests of justice in that it would give defense counsel additional time to finish reviewing the discovery produced by the government and to discuss a pre-indictment plea resolution of the case with the defendant, who is 19 years old. The requested extension also takes into account the schedule in which the grand jury in Alexandria is sitting over the next several weeks.

6. I have explained to Mr. Juarez Velasquez his right to be charged by indictment within 30 days of arrest. I have reviewed with Mr. Juarez Velasquez the terms and conditions of Title 18, United States Code, Section 3161(b), and I have fully explained to Mr. Juarez Velasquez the provisions that may apply in this case. To my knowledge, Mr. Juarez Velasquez's decision to agree to the present extension of time to be charged by indictment is an informed and voluntary one.

WHEREFORE, the parties jointly request that the time to indict this case be extended to and including June 8, 2025, and that the delay resulting from this extension be excluded in

computing the time within which an indictment must be filed pursuant to Title 18, United States Code, Section 3161(h). A proposed order is attached to this Motion.

Respectfully submitted,

By: /s/
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